

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

LAMAR GILMORE,

Plaintiff,

v.

SHANA BACHMEN et al.,

Defendants.

2:14-cv-162-MMD-PAL

**ORDER**

**I. DISCUSSION**

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections, has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 but has not filed an application to proceed *in forma pauperis* or paid the full filing fee of \$400. (See ECF No. 1).

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted an *in forma pauperis* application, a financial certificate, or an inmate account statement. (See ECF No. 1). The Court will retain Plaintiff's civil rights complaint (ECF No. 1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to file a complete application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

**II. CONCLUSION**

For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

1 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,  
2 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the  
3 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or  
4 (2) pay the full filing fee of \$400.

5 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
6 dismissal of this action may result.

7 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint (ECF  
8 No. 1), but shall not file it at this time.

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10 DATED: This 3rd day of April, 2014.

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13 United States Magistrate Judge  
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